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#### Procter & Gamble - I.P. Division

APR 2 1 2005

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#### FACSIMILE TRANSMITTAL SHEET AND

### **CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

# TO: Official Patent Application Related Correspondance- United States Patent and Trademark Office

Fax No. 703/872-9306

Phone No.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on April 21, 2005, to the aboye-identified facsimile number.

\_ (Signature

FROM: <u>Bridget Harris for Jerry J. Yetter. Esq.</u> (Typed or printed name of person signing Certificate)

Fax No. 513/627-0375

Phone No. 513/627-2996

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

- 1) PTO/SB/17 Fee transmittal in duplicate
- 2) PTO/SB/30 RCE transmittal in duplicate
- 3) Amendment 5 pgs.
- 4) Amendment transmittal in duplicate
- 5) Notice to Withdraw Appeal and Reopen Prosecution

Comments:

Number of Pages Including this Page: 13

Inventor(s): Carl Eric Kaiser et al.

S.N.: 09/936,399

Filed: 9/11/2001

Docket No.: 7473

\*\*Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

PTO/SB/17 (12-04)
11 S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCER

	U.S. Patent and Trademark	Office: U.S. DEPARTMENT OF COMMERCES	
FEE TRANSMITTAL	Complete if Known		
for FY 2005	Application Number	09/936,399	
Patent fees are subject to annual revision.  Effective December 8, 2004	Confirmation Number	3793	
	Filing Date	9/11/2001	
	First Named Inventor	Carl Eric Kaiser et al.	
	Examiner Name	J.R. Hardee	
	Art Unit	1751	
TOTAL AMOUNT OF PAYMENT (\$790.00)	Attorney Docket No.	7473	

METHOD OF PAYMENT	FEE CALCULATION (continued)		
1. [X] The Director is hereby authorized to charge indicated fees	5. ADDITIONAL FEES		
submitted on this form, credit any over payments, and	Fee Description	Fee Paid	
charge any additional fee(s) during the pendency of this application to:	Extension for reply within 1st month (\$120)	[]	
Deposit Account Number: 16-2480	Extension for reply within 2 <sup>nd</sup> month (\$450)	0	
Deposit Account Name: The Procter & Gamble Company	Extension for reply within 3 <sup>rd</sup> month (\$1,020	0) []	
Deposit 12000 and 1.	Extension for reply within 4th month (\$1,59)	D) []	
FEE CALCULATION	Extension for reply within 5 <sup>th</sup> month (\$2,16	0) <b>[</b> ]	
2. BASIC FILING FEE - Large Entity			
FILING SEARCH EXAMINATION	Information Disclosure Statement fee (\$180)		
FEE FEE FEE			
Application	37 CFR 1.16(f) Late Oath/Declaration		
Type Fee Paid	(nonprovisional) (\$130)	0	
Utility (\$300) (\$500) (\$200)	37 CFR 1.17 (g) Surcharge - Late provisional		
(Total = \$1000)	filing fee or cover sheet (\$50)	0	
Design (\$200) (\$100) (\$130)	Non-English specification (\$130)	0	
Design (\$200) (\$100) (\$130) (Total = \$430)	That English Specialists	_	
Reissue (\$300) (\$500) (\$600)	Notice of Appeal (\$500)	10	
(Total = \$1400) []			
Provisional filing fee (Total = \$200)	Filing a brief in support of an appeal (\$500)	) []	
3. APPLICATION SIZE FEE:	Request for oral hearing (\$1,00	0) []	
Sheets of Spec and Drawings			
(\$250 for each 50 sheets in excess of 100, except for	Acceptance of unintentionally delayed claim for priority		
sequence and program listings)	under 35 U.S.C. 119, 120, 121, or 365 (a) or (c) (\$1,37	Ø) []	
SUBTOTAL (2)+(3) (\$)[]	Other:		
4. EXTRA CLAIM FEES FOR UTILITY AND REISSUE:	RCE under 37 CFR (c) \$ 790	1	
Extra Fee from Fee			
<u>Claims</u> <u>Below</u> <u>Paid</u>			
Total Claims [] - 20** = [] x [] = []			
Independent Claims [] - 3** = [] x [] = []			
Multiple Dependent claims:	1		
** or number previously paid, if greater, For Reissues, see below			
Fee Description Claims in excess of 20 (\$50 per claim)			
Independent claims in excess of 3 (\$200 per claim)			
Multiple dependent claim, if not paid (\$360)			
••Reissue: each independent claim over 3 and more than in the original patent (\$200 per claim)			
**Reissue claims: each claim over 20 and more than original patent			
(\$50 per claim)	0		
SUBTOTAL (4) (5)()	SUBTOTAL(5)	(1,	

SUBMITTED BY	·			Comple	te (if applicable)
Name (Print/Type)	Jerry J. Yetter	Registration No. (Attorney/Agent)	26,598	Telephone	(513) 627-2996
Signature		Miles		Date	April 21, 2005

This collection of information is required by 37 Cpd. 1.19—15¢ information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR./.14. This collection/is estimated to take 12 minutes to complete, including gathering, preparing, and automitting the completed replication form to the USPTO. Time will very depending upon individual case/Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this barden, should be sent to the Chief Implemention Ordicer, U.S. Princes and prademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT

PTO/SB/17 (12-04)
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE: +

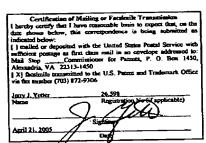
	U.S. Facilit did Troccinio	Olike. U.S. Dell'Interess	
FEE TRANSMITTAL	Complete if Known		
for FY 2005  Patent fees are subject to annual revision.  Effective December 8, 2004	Application Number	09/936,399	
	Confirmation Number	3793	
	Filing Date	9/11/2001	
	First Named Inventor	Carl Eric Kaiser et al.	
	Examiner Name	J.R. Hardee	
	Art Unit	1751	
TOTAL AMOUNT OF PAYMENT (\$790.00)	Attorney Docket No.	7473	

METHOD OF PAYMENT	FEE CALCULATION (continued)				
1. [X] The Director is hereby authorized to charge indicated fee	5. ADDITIONAL FEES				
submitted on this form, credit any over payments, and	Fee Description Fee Page				
charge any additional fee(s) during the pendency of this	Extension for reply within 1st month (\$120) []				
application to: Deposit Account Number: 16-2480	Extension for reply within 2 <sup>nd</sup> month (\$450)				
Deposit Account Name: The Procter & Gamble Company	Extension for reply within 3 <sup>rd</sup> month (\$1,020)				
<b>Doposit</b> 1	Extension for reply within 4th month (\$1,590)				
FEE CALCULATION	Extension for reply within 5 <sup>th</sup> month (\$2,160) []				
2. BASIC FILING FEE - Large Entity					
FILING SEARCH EXAMINATION	Information Disclosure Statement fee (\$180)				
fee fee fee					
Application	37 CFR 1.16(f) Late Oath/Declaration				
Type Fee Paid					
Utility (\$300) (\$500) (\$200)	37 CFR 1.17 (g) Surcharge - Late provisional				
(Total = \$1000) []	filing fee or cover sheet (\$50)				
Design (\$200) (\$100) (\$130)	Non-English specification (\$130)				
(Total = \$430)	Notice of Appeal (\$500) []				
Reissue (\$300) (\$500) (\$600)	Notice of Appeal (\$500) []				
(Total = \$1400) []	Filing a brief in support of an appeal (\$500)				
Provisional filing fee (Total = \$200)	(21,000), (2				
3. APPLICATION SIZE FEE:	Request for oral hearing (\$1,000) []				
Sheets of Spec and Drawings	Acceptance of unintentionally delayed claim for priority				
(\$250 for each 50 sheets in excess of 100, except for	under 35 U.S.C. 119, 120, 121, or 365 (a) or (c) (\$1,370) []				
sequence and program listings)  SUBTOTAL (2)+(3) (5)	Other:				
4. EXTRA CLAIM FEES FOR UTILITY AND REISSUE:	RCE under 37 CFR (e) \$ 790				
Extra Fee from Fox					
Claims Below Pair					
Total Claims					
Independent Claims [] - 3** = [] x [] = []					
Multiple Dependent claims:					
** or number previously paid, if greater; For Reissues, see below					
Fee Description					
Claims in excess of 20 (\$50 per claim) Independent claims in excess of 3 (\$200 per claim)					
Multiple dependent claim, if not paid (\$360)					
**Reissue: each independent claim over 3 and more than in the					
original patent (\$200 per claim)					
**Reissue claims: each claim over 20 and more than original pater	nt				
(\$50 per claim)	SUBTOTAL(5) (5)				
SUBTOTAL (4) (5)[]	SUBTOTAL(3) (V)				

The second secon	Comple	Complete (if applicable)		
Name (Print/Type)	Jerry J. Yetter	Registration No. (Attorney/Agent) 26,598	Telephone	(513) 627-2996
Signature		Mu	Date	April 21, 2005

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE RESPONSE/AMENDMENT

COMMISSIONER FOR PATENTS VIA FACSIMILE 703/872-9306

Transmitted herewith is an AMENDMENT for the patent application:

Application No.

09/936,399

Applicant(s)

Carl Eric Kaiser et al.

Filed

9/11/2001

Title

Perfume Compositions and Methods to Mask

Amine Malodors

TC/A.U.

1700/1751

**Examiner** 

J.R. Hardee

Conf. No.

3793

Docket No. Customer No. 7473 27752

- [] No additional fees (claims fees or extension fees) are known to be required.
- [X] The fee has been calculated as shown below:

2. (**)	(Col. 1)		(Col. 2)	(Col. 3)	OTHER T SMALL E	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	+ 7	MINUS	** 32	=	x \$ 50 =	\$
	1. 1	MINUS	*** 3	=	x \$200 =	\$
INDEP.	TON OR MILE		AIM		+ \$360 =	S
FIRST PRESE	NTATION OF MULTI	PLE DEF. CI	- TILLY		TOTAL	\$

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the entry in Cot. 1 is less than the entry in Cot. 2, write "0" in Cot. 3.

  \*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

  \*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

  The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.
  - 3. [X] The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated 12/2/2004 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: No fee due to timely filing of Notice of Appeal on 3/1/05.
  - 4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
    - Any patent application processing fees under 37 CFR §1.16. [x]
    - Any patent application processing fees under 37 CFR §1.17. b. [x]
  - 5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

THE PROCTER & GAMBLE COMPANY

Date: April 21, 2005 Customer No. 27752

(Transamd.doc) Revised 12/08/2004

Registration No. 26,598

(513) 627-2996

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l hereby certify that I have reasonable basis to expect that, on the
date shown below, this correspondence is being subrained as
indicated below: nailed or deposited with the Unit 1 mause or corporation with the United States Peaks Service will sufficient posting on Sirst class mail in an envelope addressed to Mail Stop \_\_\_\_\_\_Commissioner for Patenta, P. O. Box 1450 Alexandria, VA 22317-1450 [X] finearmist tensoration to the U.S. Patent and Trademark Office via fax mumber (703) 872-9306 erry J. Yener o No (if appli

#### IN THE UNITED STATES PATENT & TRADEMARK OFFICE RESPONSE/AMENDMENT

COMMISSIONER FOR PATENTS VIA FACSIMILE 703/872-9306

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

:

Application No. : 09/936,399

Applicant(s)

Carl Eric Kaiser et al.

Filed

9/11/2001

Title

Perfume Compositions and Methods to Mask

Amine Malodors

TC/A.U.

1700/1751

**Examiner** 

J.R. Hardee

Conf. No. Docket No. 3793 7473

Customer No.

27752

- 1. [] No additional fees (claims fees or extension fees) are known to be required.
- [X] The fee has been calculated as shown below:

-	(Col. 1)		(Col. 2)	(Col. 3)	OTHER T SMALL E	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	* 7	MINUS	** 32	=	x \$50 =	\$
INDEP.	* 1	MINUS	*** 3	=	x \$200 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$360 =	\$
PROFINALIST CONTRACTOR OF PROFILE					TOTAL.	8

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
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  - Any patent application processing fees under 37 CFR §1.17. [x] b.
- 5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

THE PROCTER & GAMBLE COMPANY

Date: April 21, 2005 Customer No. 27752

(Transamd.doc) Revised 12/08/2004

Régistration No. 26,598

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Certification of Mailing or Factisaile Trans Commissio VA 22313-1450 d to the U.S. Patent and Tra

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/936,399

Applicant(s)

Carl Eric Kaiser et al.

Filed

9/11/2001

Title

:

Perfume Compositions and Methods to Mask

**Amine Malodors** 

TC/A.U.

1700/1751

Examiner

J.R. Hardee

Conf. No. Docket No. 3793

7473

Customer No.

27752

## NOTICE OF WITHDRAWAL OF APPEAL AND REOPENING OF **PROSECUTION**

Commissioner for Patents

VIA FACSIMILE 703/872-9306

Dear Sir:

(

Please be advised that Applicants are withdrawing the appeal in the captioned application in favor of the filing of a Request for Continued Examination on this date. Applicants do not intend to abandon the application by withdrawing the Appeal.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

Jerry J.

Date: April 21, 2005

Customer No. 27752

Registration No. 26.398

(513) 627-2996